

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )              No.: 3:20-CR-31-KAC-JEM  
                                )  
ROBERT Z. WHIPPLE, III, )  
                                )  
Defendant.                 )

**ORDER**

Defendant has filed nine (9) pro se motions in this closed criminal matter this month [See Docs. 214, 215, 218, 219, 220, 223, 224, 225, 226]. At least some of those motions request relief that is potentially relevant to Defendant's appeal, which is currently pending before the Sixth Circuit [See, e.g., Docs. 215 at 2; 218 at 2]. *See United States v. Whipple*, No. 23-5126 (6th Cir. Feb. 14, 2023). Attorney Joshua Hedrick has represented Defendant before this Court, and he continues to represent Defendant on appeal. *See Appearance of Counsel, United States v. Whipple*, No. 23-5126 (6th Cir. Feb. 14, 2023). Mr. Hedrick has not sought permission to withdraw from representing Defendant before this Court.

"The right to defend pro se and the right to counsel have been aptly described as 'two faces of the same coin,' in that waiver of one right constitutes a correlative assertion of the other." *United States v. Moseley*, 810 F.2d 93, 97 (6th Cir. 1987); *see United States v. Williams*, 641 F.3d 758, 770 (6th Cir. 2011) (declining to address arguments raised in defendant's pro se brief where defendant was represented by counsel). This Court's local rules prohibit Defendant from filing motions on his own behalf while he is represented by counsel in this Court. *See E.D. Tenn. L.R. 83.4(c)* ("Whenever a party has appeared by attorney, that party may not thereafter appear or act

in his or her own behalf in the action or proceeding, unless an order of substitution shall first have been made by the Court, after notice by the party to the attorney and to the opposing party.”). Defendant continues to be represented by Mr. Hedrick before this Court.

Accordingly, the Court **DENIES** Defendant’s pro se motions [Docs. 214, 215, 218, 219, 220, 223, 224, 225, 226]. However, the Court **DIRECTS** Mr. Hedrick to (1) review Defendant’s pro se motions, (2) consult with Defendant, and (3) determine whether to file any motions in this Court with respect to Defendant’s legal arguments. The Court further **DIRECTS** Mr. Hedrick to advise Defendant of this Order.

IT IS SO ORDERED.



KATHERINE A. CRYTZER  
United States District Judge